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09/232,622 01/19/99 PERKINS

A AT9-98-346

EXAMINER

TM02/0104

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ART UNIT

PAPER NUMBER

2173

DATE MAILED:

01/04/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/232,622

Applicant(s)

PERKINS ET AL.

Examiner

Kieu D Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 January 1999 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

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DETAILED ACTION

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: reference numbers 201 and 249 are not in Fig 2. Correction is required.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: reference number 246 in Fig. 2. Correction is required.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "240" has been used to designate both "Second Icon" and "Access Routine-called" in Fig 2. Correction is required.
4. The specification is objected because it does not contain the Serial Number of the related invention entitled "Apparatus for Cross Referencing Routines and Method Therefor" (see specification, page 1, line 2; page 6, line 8; page 9, line 20).

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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6. Claims 21-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter since independent claim 1 claims "A computer program product operable" per se and is not directed to a machine readable medium or a manufacturer article.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 3-5, 9-10, 11, 13-15, 19-20, 21, 23-25, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lennert et al ("Lennert", USP 6055227) in view of Simonyi ("Simonyi", USP 5911072).

Regarding claims 1, 11, and 21, Lennert teaches steps of displaying hierarchical call dependencies comprising the step of selecting a routine from a routine list displayed in a window region (col 7, lines 34-59; Fig. 6). Lennert fails to teach the displaying one of a first routine called by said routine and a second routine calling said routine in response to said collection. However, such feature is known in the art as taught by Simonyi. Simonyi teaches the displaying one of a first routine called by said routine and a second routine calling said routine in response to said collection (see expanded display item in Simonyi reference; col 23, lines 10-41; col 25, lines 22-29) to provide the user with the detail description of the routine. In view of such

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advantage, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Simonyi's teaching of displaying one of a first routine called by said routine and a second routine calling said routine in response to said collection in Lennert's system with the motivation being to provide the user with the detail description of the routine.

Regarding claims 3, 13, and 23, Simonyi teaches that routine list is contained in a plurality of data structures stored in a database (see the storage of the routine list in Simonyi's database).

Regarding claims 4, 14, and 24, Simonyi teaches step of displaying one of said first routine and said second routine further comprises the step of displaying said one of said first and second routines in a tree hierarchy (see Fig. 11A-11C).

Regarding claims 5, 15, and 25, Simonyi teaches step of selecting said routine from a routine list comprises the step of selecting an icon associated with said routine, wherein said icon flags said routine as having an undisplayed routine dependency (col 23, lines 10-41; col 25, lines 22-29, Fig 11A-11C) .

Regarding claims 9, 19, and 29, Lennert teaches the step of specifying a routine type, wherein said step of displaying said one of said first and second routines comprises the step of displaying said one of said first and second routines in response to said routine type (see different type of routine in Fig. 6).

Regarding claim 10, 20, and 30, the claimed first and second window regions correspond to two window regions used to display two routine in Lennert (Fig. 6) or Simonyi (Fig. 11).

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9. Claims 2, 12, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lennert in view of Simonyi as applied to claims 1, 11, and 21 above, and further in view of Davies ("Davies", USP 6002396).

Regarding claims 2, 12, and 22, Lennert in view of Simonyi fail to teach first window region comprises a calls window region and a second window region comprises a called-by window region. However, such feature is known in the art as taught by Davies. Davies teaches first window region comprises a calls window region (the first three routines in Fig. 5) and a second window region comprises a called-by window region (the last three routines in Fig. 5) to provide a convenient graphical representation of the called-by routine. In view of such advantage, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Davies' teaching of first window region comprises a calls window region and a second window region comprises a called-by window region in Lennert's system with the motivation being to provide a convenient graphical representation of the called-by routine.

10. Claims 6-7, 16-17, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lennert in view of Simonyi as applied to claims 1, 11, and 21 above, and further in view of Pazel ("Pazel", USP 6028999).

Regarding claims 6, 16, and 26, Lennert in view Simonyi fail to teach the step of accessing a data structure stored in a database, said data structure having an entry corresponding to said routine, and wherein said step of displaying said one of said first and second routines comprises the step of displaying said one of said first and second routines in response to a routine

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identifier, corresponding to said one of said first and second routines, contained in a portion of said entry. However, such feature is known in the art as taught by Pazel. Pazel teaches the step of accessing a data structure stored in a database, said data structure having an entry corresponding to said routine, and wherein said step of displaying said one of said first and second routines comprises the step of displaying said one of said first and second routines in response to a routine identifier, corresponding to said one of said first and second routines, contained in a portion of said entry to conveniently identify routines (see routine ID 19 in Fig 3). In view of such advantage, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Pazel's teaching of accessing a data structure stored in a database, said data structure having an entry corresponding to said routine, and wherein said step of displaying said one of said first and second routines comprises the step of displaying said one of said first and second routines in response to a routine identifier, corresponding to said one of said first and second routines, contained in a portion of said entry in Lennert's system with the motivation being to conveniently identify routines.

Regarding claims 7, 17, and 27, Lennert in view Simonyi fail to teach the step of displaying said one of said first and second routines further comprises the step of displaying said first routine in response to said routine identifier in a routine field of said entry. However, such feature is known in the art as taught by Pazel. Pazel teaches the step of displaying said one of said first and second routines further comprises the step of displaying said first routine in response to said routine identifier in a routine field of said entry (see routine ID 19 in Fig 3) to

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conveniently identify routines. In view of such advantage, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Pazel's teaching of displaying said one of said first and second routines further comprises the step of displaying said first routine in response to said routine identifier in a routine field of said entry in Lennert's system with the motivation being to conveniently identify routines.

11. Claims 8, 18, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lennert in view of Simonyi, and Pazel as applied to claims 6, 16, and 26 above, and further in view of Davies.

Regarding claim 8, 18, and 28, Lennert in view of Simonyi and Pazel fails to teach the step of displaying said one of said first and second routines further comprises the step of displaying said second routine in response to a routine called field of said entry. However, such feature is known in the art as taught by Davies. Davies teaches the step of displaying said one of said first and second routines further comprises the step of displaying said second routine in response to said routine identifier in a routine called field of said entry (the last three routines in Fig. 5) to accurately and efficiently display the routine. In view of such advantage, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Davies' teaching of the step of displaying said one of said first and second routines further comprises the step of displaying said second routine in response to a routine called field of said entry in Lennert's system with the motivation being to accurately and efficiently display the routine.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Fri from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116). The fax phone number for the organization where this application or proceeding is assigned is (703-308-9051).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

Jan 2, 2001



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173